

REMARKS

The Examiner's action of July 19, 2010 is noted in which there is a claim objection and claim rejections under 35 USC 112, second paragraph, an obviousness-type double patenting claim rejection and claim rejections under 35 USC 103.

Applicants have provided a suitable Terminal Disclaimer, thereby eliminating the double patenting rejection, have made the change to Claim 11 to obviate the claim language objection cited by the Examiner, and have addressed the 35 USC 112 second paragraph rejection by positively claiming the ad hoc network as a claim element in each of the independent claims.

Allowance of these claims over these formal objections is requested.

This leaves the rejection of Claims 1, 12, and 14-17 under 35 USC 103 as being unpatentable over Burkley et al. in view of Lewicke.

It should be noted that the claims now recite both an automatically configured ad hoc network and that at least one of the modules has a sensor within the module. Burkley et al. do not show either an automatically configured ad hoc network or a sensor within a module. Rather Burkley et al. show sensor 22000 at a cell tower at some distance from either radio 21000 or portable computer 23000.

In the context of having an ad-hoc temporary incident area network, it is important that the modules be provided with their own sensors to provide situational awareness at the module. It is noted that sensor 2200 is not within a module and cannot provide situational awareness at a module.

Moreover, since the ad-hoc temporary incident area network is now positively recited, nowhere in the cited references is the automatic configuration of each of the modules shown or taught in which the modules are to communicate on the same frequency and utilizing the same format. This is obviously important because when different departments arrive at an incident, they do not automatically have the ability to communicate together, especially on the same frequency and with the same format. Moreover, any sensors that are used must have their outputs appropriately reformatted.

With respect to Col. 8, Lines 6-19 of Burkley et al. this does not teach what the Examiner says it teaches. Applicants can find no teaching of “playback” whatsoever at Col. 8, Lines 6-19.

With respect to Lewicke, the Examiner says it is obvious to include a local memory for storing data as it has been captured by the sensor. However, there is no teaching of a sensor within a module, much less a sensor that is part of the claimed automatically-configured ad hoc temporary incident area network. Thus, Lewicke plus Burkley et al. do not individually or in combination teach the claimed invention.

For these reasons Claims 1 and 12 and the claims that depend therefrom are free of the art cited.

As to Israel et al., note with respect to Claims 18-20, unlike what the Examiner asserts, the Israel et al. reference is not applied.

Where the Israel reference is applied, it is applied to Claim 6. The Examiner says Israel et al. disclose a system “wherein the events are organized in terms of time...”

However, Claim 6 is dependent on Claim 1 which Applicants argue is allowable (see above).

Finally, Claim 7 is rejected further in view of the Brailean et al. reference.

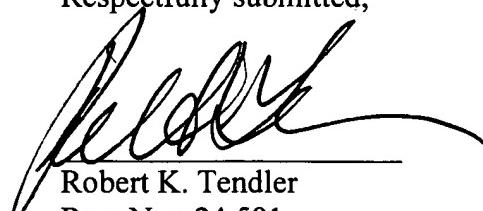
It would not be obvious to utilize Brailean et al. because while the Examiner says that Brailean discloses a sensor and a video/audio camera for capturing video and audio data and streaming the video and audio data to a remote location, nowhere is shown how Brailean could be utilized in the automatically-configured temporary incident area network claimed. This is because Brailean does not teach his device used in any ad hoc automatically-configured temporary incident area network.

Just because one has a camera that can remotely communicate does not mean that it would be obvious to use it in an ad hoc temporary incident area network. One reason is that the camera's format may not be compatible either with the network or modules on the network.

For the above reasons it is Applicants contention that the claims are free of the prior art.

Allowance of the claims and issuance of the case is therefore earnestly solicited.

Respectfully submitted,



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